

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56078 of 2023

Arising Out of PS. Case No.-150 Year-2020 Thana- AAJAM NAGAR District- Katihar

Abdul Mannan Son Of Amjad Hussain Resident Of Village- Patania, Ps-
Azamnagar, Distt- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Azamnagar P.S. Case no. 150 of 2020 registered under sections 302, 201 and 120B of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the daughter of the informant who was married to the son of the petitioner was brutally assaulted, killed and her body was dumped in a septic tank. On recovery of the body and on conduct of the post-mortem examination it transpired that the death was because of asphyxia due to strangulation by towel and head injury was caused by hard and blunt substance.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 9.1.2023 (Annexure-1). The petitioner is in custody for one



year eight months since 11.2.2022 and as would be evident from the medical report as contained in Annexure-3, the petitioner is an old man age 76 years and suffering from Hemiplegia. It is submitted that the petitioner will cooperate in the trial and abide by the conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called from the learned Trial Court. As per the report received, the case is pending for prosecution evidence.

7. Having heard learned counsel for the parties and on perusal of the record, it transpires that the petitioner absconded and for this reason the trial of the petitioner was split from his wife and his son i.e. the husband of the deceased. Both the husband and mother-in-law of the deceased have been convicted in the learned Trial Court.

8. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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